

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
BRENDA WEKSLER  
3 Assistant Federal Public Defender  
411 E. Bonneville Ave., Suite 250  
4 Las Vegas, Nevada 89101  
Tel: (702) 388-6577  
5 Fax: (702) 388-6261

6 Attorney for:  
JOSEPH NEIL STABLER, JR.  
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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 vs.  
13 JOSEPH NEIL STABLER, JR. ,  
14 Defendant.

Case No.: 2:14-CR-155-KJD-CWH

**STIPULATION TO CONTINUE**  
**MOTION HEARING**  
(Fifth Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
17 States Attorney, and Allison Herr, Special Assistant United States Attorney, counsel for the United  
18 States of America, and Rene L. Valladares, Federal Public Defender, and BRENDA WEKSLER,  
19 Assistant Federal Public Defender, counsel for JOSEPH NEIL STABLER, JR., that Motion Hearing  
20 currently set for Monday, April 6, 2015 , at 9:00 a.m., be vacated and continued for no less than 30  
21 days.

22 This Stipulation is entered into for the following reasons:

- 23 1. The client is in custody but does not oppose the continuance.  
24 2. Since the filing of the previous stipulation the parties have reached a resolution in this  
25 case, which will obviate the need to litigate the issues presented in the motion. However, additional  
26 time is still needed for the defendant to consider the proposal.  
27 3. Counsel for the government will be out of the jurisdiction from April 1, 2015 through  
28 April 8, 2015.

1           3.       The additional time requested herein is not sought for purposes of delay, but merely  
2 to allow the parties sufficient time to complete the negotiations process or prepare for trial.

3           4.       Denial of this request for continuance would deny counsel for the defendant sufficient  
4 time to effectively and thoroughly complete the negotiations or prepare for trial, taking into account  
5 the exercise of due diligence.

6           5.       Additionally, denial of this request for continuance could result in a miscarriage of  
7 justice. The additional time requested by this Stipulation is excludable in computing the time within  
8 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States  
9 Code, § 3161(h)(1)(D) , United States Code § 3161(h)(7)(A), considering the factors under Title 18,  
10 United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

11           6.       This is the Fifth stipulation to continue the motion hearing filed herein.

12 DATED: March 25, 2015

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14 RENE L. VALLADARES  
Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

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16 By: / s/ Brenda Weksler  
BREND A WEKSLER,  
17 Assistant Federal Public Defender

By: /s/ Allison Herr  
ALLISON HERR,  
Special Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH NEIL STABLER, JR. ,

Defendant.

Case No.: 2:14-CR-155-KJD-CWH

FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody but does not oppose the continuance.
2. Since the filing of the previous stipulation the parties have reached a resolution in this case, which will obviate the need to litigate the issues presented in the motion. However, additional time is still needed for the defendant to consider the proposal.
3. Counsel for the government will be out of the jurisdiction from April 1, 2015 through April 8, 2015.
4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly complete the negotiations or prepare for trial, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) , United States Code § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the Fifth stipulation to continue the motion hearing filed herein.

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1 For all of the above-stated reasons, the ends of justice would best be served by a continuance  
2 of the motion hearing date.

3 **ORDER**

4 IT IS THEREFORE ORDERED, that Motion Hearing currently set for Monday,  
5 April 6, 2015 , at 9:00 a.m., be vacated and continued May 6, 2015 at 1:30 p.m.

6 DATED: March 26, 2015

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11 UNITED STATES MAGISTRATE JUDGE  
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